

**UNITED STATES DISTRICT COURT
FOR DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

This Document Relates To: ALL
ACTIONS

No. 0:18-cv-01776

Hon. John R. Tunheim
Magistrate Judge Hildy Bowbeer

**[PROPOSED] ORDER GRANTING CLASS PLAINTIFFS' UNOPPOSED
MOTION FOR ORDER PERMITTING PRODUCTION OF DOCUMENTS
BY THIRD PARTY COBANK, ACB**

IT IS HEREBY ORDERED THAT:

This matter came before this Court on January 27, 2021, on Direct Purchaser Plaintiffs, Commercial and Institutional Indirect Purchaser Plaintiffs, and Consumer Indirect Purchaser Plaintiffs' (collectively, "Class Plaintiffs") Unopposed Motion For Order Permitting Production Of Documents By Third Party CoBank, ACB.

Federal Rule of Civil Procedure 26(b)(1) allows a party to "obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case . . . [and] [i]nformation within this scope of discovery need not be admissible in evidence to be discoverable." Fed. R. Civ. P. 26(b)(1). Federal Rule of Civil Procedure 45(a) allows the issuance of subpoenas for production of documents in a non-party's custody or control.

Class Plaintiffs' subpoena seeks information relevant to this action. CoBank notified Plaintiffs that pursuant to 12 C.F.R. § 618.8330(b), it requires a court order signed by a judge in order to produce any documents responsive to the subpoena requests. Class

Plaintiffs and CoBank have met and conferred and agreed upon a custodian and set of search terms to use to narrow the information to be produced in response to the subpoena, subject to any narrow follow-up that may result from documents CoBank produces.

Good cause appearing, the Court hereby ORDERS CoBank to produce nonprivileged, responsive documents in accordance with the agreement between Class Plaintiffs and CoBank within fourteen (14) days of entry of this Order.

IT IS SO ORDERED.

DATED:

Hildy Bowbeer
United States Magistrate Judge